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D.B. CIVIL SPECIAL APPEAL (C) NO.31/2007.
Kailash Chand Vs. Madan Gopal

Date of Order : 27th April 2007.

HON'BLE MR. JUSTICE P.B. MAJMUDAR
HON'BLE MR. JUSTICE DINESH MAHESHWARI

Mr. C.P. Soni, for the appellant.

...

We have heard the learned counsel for the appellant. We are satisfied that the order impugned in this appeal does not require interference specially when the learned Single Judge has declined to grant stay against money decree passed in the suit by safeguarding the interest of the appellant by observing that in the event of appeal being allowed, the amount so deposited shall be returned with interest at the prevailing bank rate. We do not find any error in the order impugned passed by the learned Single Judge. The appeal is devoid of any merit and the same is, therefore, dismissed in limine.

(DINESH MAHESHWARI), J. **(P.B. MAJMUDAR) ,J.**

Mohan/